

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The non-final Office Action dated March 30, 2009 has been received and its contents carefully reviewed.

Claims 1-3, 5-11, and 13-17 are hereby amended. Claims 4 and 12 are hereby canceled without prejudice to or disclaimer of the contents contained therein. No claims are added. Accordingly, claims 1-3, 5-11, and 13-17 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

Claims 1-17 are rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. *Office Action* at p. 2. The rejection of claims 4 and 12 is moot as claims 4 and 12 are canceled herein.

The Office purports that “[t]he specification does not describe that shape in such a way to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.” *Office Action* at p. 2. Applicants do not necessarily agree with the Office, however, in an effort to advance the application to allowance, Applicants have amended the specification, and request that the Office withdraw the 35 U.S.C. § 112, first paragraph rejection of claims 1-3, 5-11, and 13-17. Support for the amendment can be found, at least, in the visual depiction of the drying stick in the paragraph at p. 9, lines 21-25 and Fig. 3.

Claims 1-17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly claim the subject matter which the Applicants regard as the invention, as discussed in the Office Action. The rejection of claims 4 and 12 is moot as claims 4 and 12 are canceled herein.

Applicants do not necessarily agree with the Office, however, in an effort to advance the application to allowance, Applicants have amended the specification, and request that the Office withdraw the 35 U.S.C. § 112, second paragraph rejection of claims 1-3, 5-11, and 13-17.

Claims 1-2 and 4-6 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,272,524 to Johnson (hereinafter “Johnson”). *Office Action* at page 3. Applicants respectfully traverse this rejection and request reconsideration.

Independent claim 1 is allowable over the cited reference in that claim 1 recites a combination of elements including, for example,

a drum for drying clothes;
a rack detachably mounted to an inside of the drying drum for placing a drying object thereon; and
at least one drying stick for supporting the drying object spaced a predetermined distance from the rack, wherein the drying stick is formed to be extended upward from the rack.

Johnson does not teach or suggest at least these features of the claimed invention.

In contrast, *Johnson* discloses a “work support for laundry tubs … [that] involves a wire basket” where “the work support is adapted to be attached to the wall of the laundry tub.” *Johnson* at p. 1 col. 1:2-4 and lines 53-55 and Figs. 1 and 2. As shown, “the rear portion of the basket, including the posts 9, [are] closely engaged with the inner wall of the laundry tub … with the clamping bail 12 closely engaged with the outer surface of said wall.” *Johnson* at p. 1 col. 1:54-58. *Johnson* is entirely silent as to any disclosure, express or inherent regarding, at least,

a drum for drying clothes;
a rack detachably mounted to an inside of the drying drum for placing a drying object thereon; and
at least one drying stick for supporting the drying object spaced a predetermined distance from the rack, wherein the drying stick is formed to be extended upward from the rack.

as recited in independent claim 1.

For at least these reasons, Applicant respectfully requests that the Office withdraw the 35 U.S.C. § 102(b) rejection of independent claim 1. Claims 2, 5, and 6 depend from independent claim 1. It stands to reason that the 35 U.S.C. § 102(b) rejection of those dependent claims should be withdrawn as well.

Claims 11-13 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,543,630 to *Hope* (hereinafter “*Hope*”). Office Action at page 3. Applicants respectfully traverse this rejection and request reconsideration.

Independent claim 1 is allowable over the cited reference in that claim 1 recites a combination of elements including, for example, “a drum for drying clothes; a seat having a plurality of pass through holes for pass through of drying air; … a drying stick at the seat for

drying the drying object in a space spaced a distance from the seat, wherein the drying stick is detachably mounted to be projected upward from the seat.” *Hope* does not teach or suggest at least these features of the claimed invention.

Hope teaches a “rack portion 12 [that] includes a lower wall 14 having a forward end, a rearward end, and opposed sides.” *Hope* at col. 3:46-47 and Figs. 1 and 4. As shown, “the rack portion 12 . . . [is] secured [to] the dryer door 24 to support items, such as sneakers and hats 30 thereon.” *Hope* at col. 4:3-4. In other words, items such as sneakers and hats are placed directly on the rack portion 12 for drying. *Hope* is entirely silent regarding any disclosure, express or inherent, concerning “a drying stick at the seat for drying the drying object in a space spaced a distance from the seat, wherein the drying stick is detachably mounted to be projected upward from the seat,” as recited in independent claim 11.

For at least these reasons, Applicant respectfully requests that the Office withdraw the 35 U.S.C. § 102(b) rejection of independent claim 11. Claims 12 and 13 depend from independent claim 11. It stands to reason that the 35 U.S.C. § 102(b) rejection of those dependent claims should be withdrawn as well.

Claims 3 and 7-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Johnson*. Applicants respectfully traverse the rejection and request reconsideration.

Because *Johnson* fails to teach or suggest each and every element of independent claim 1, *Johnson* also fails to teach or suggest each and every element of claims 3 and 7-10, which depend from independent claim 1. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 3 and 7-10.

Claims 14-17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hope*. *Office Action* at p. 4. Applicants respectfully traverse the rejection and request reconsideration.

Because *Hope* fails to teach or suggest each and every element of independent claim 11, *Hope* also fails to teach or suggest each and every element of claims 14-17, which depend from independent claim 11. Accordingly, Applicants respectfully request the Office to withdraw the 35 U.S.C. § 103(a) rejection of claims 14-17.

Claims 1-17 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-13 of copending Application No. 11/905,180. *Office Action* at p. 4. As this is a provisional rejection and both applications are still pending, Applicants will address this rejection upon an indication of allowability.

CONCLUSION

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

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Respectfully submitted,

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